

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
TERRE HAUTE DIVISION

B.E., <i>et al.</i> ,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	No. 2:21-cv-00415-JRS-MG
	)	
VIGO COUNTY SCHOOL	)	
CORPORATION, <i>et al.</i> ,	)	
	)	
	)	
Defendants.	)	

**Plaintiffs' Preliminary Witness and Exhibit List**

Plaintiffs, by counsel, submit their preliminary witness and exhibit list under the approved case management plan in this case (ECF No. 42).

**Witnesses:**

1. Plaintiff B.E., who can be contacted in care of his counsel.
2. Plaintiff S.E. who can be contacted in care of his counsel.
3. L.E., the plaintiffs' mother and next friend, who can be contacted in care of plaintiffs' counsel.
4. M.E., the plaintiffs' aunt, who can be contacted in care of plaintiffs' counsel.
5. Stacy Mason, Director of Secondary Education for Vigo County School Corporation (VCSC), who can be contacted in care of defendants' counsel.
6. Ashley Luken, Assistant Principal, North Vigo High School, who can be contacted in care of defendants' counsel.

7. Stephen Joseph, Principal, North Vigo High School, who can be contacted in care of defendants' counsel.
8. Michael Cox, Director of Human Resources for VCSC, who can be contacted in care of defendants' counsel.
9. Matthew McClendon, Director of Diversity, Civility and International Exchange Program for VCSC, who can be contacted in care of defendants' counsel.
10. Daniel Radford, ROTC instructor for VCSC Junior Air Force ROTC program.
11. As of yet unidentified employees of VCSC who may have knowledge concerning its treatment of the plaintiffs including, but not limited to, staff's failure to refer to the plaintiffs by their male first names and male pronouns, the role of VCSC staff in preventing plaintiffs from receiving male ROTC uniforms, the difficulty the plaintiffs have had in utilizing the restroom in the nurse's office, the exclusion of plaintiffs from male restrooms and locker rooms, and VCSC's policies and practices concerning transgender students.
12. Dr. Dennis Fortenberry, who can be contacted in care of plaintiffs' counsel.
13. Dr. Janine Fogel, who can be contacted in care of plaintiffs' counsel.
14. All persons listed on defendants' initial disclosures or any witness lists.
15. As of yet unidentified employees of the Riley Gender Health program who have been involved with the treatment of the plaintiffs and who have knowledge of that treatment.
16. Any witnesses needed for identification or authentication of documents or needed for impeachment or rebuttal; and
17. Further witnesses identified as discovery continues.

**Exhibits:**

1. The complaint, answer to the complaint, and any amended complaints and answers to any amended complaints in this cause.
2. All documents attached to any filings by plaintiffs or defendants in this cause.

3. All documents produced by the defendants in this matter.
4. All depositions taken in this matter and their exhibits.
5. All responses to interrogatories and documents produced in discovery in this matter.
6. All stipulations and responses to requests for admissions in this matter.
7. All affidavits and verified documents filed in this cause.
8. All documents noted by defendants in their disclosures and exhibit lists.
9. Plaintiffs' medical records from Riley Children's Hospital Gender Health Program.
10. All expert declarations and expert reports of Dr. Fortenberry, Dr. Fogel, and any other experts and the books, articles, and other references referred to in the declarations and reports.
11. Policies from other schools in Indiana and other states on students' access to school restrooms and locker rooms consistent with their gender identities.
12. Documents identified in defendants' disclosures and exhibit lists.
13. Any documents needed for impeachment or rebuttal purposes.

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